



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

ABUSLEME et al.

Art Unit : 1773

Serial No.: 10/086,845

Examiner: ZACHARIA, RAMSEY

Filed: March 4, 2002

Atty. Dkt. No.: 108910-00057

For: MULTILAYERS OF POLYAMIDES AND FLUORINATED COPOLYMERS

DECLARATION UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Petitioner notes the Office Action of January 30, 2004 for the above-identified application, wherein U.S. Patent No. 6,509,073 B1 (Arcella et al.) is cited as prior art against the claims of U.S. Patent Application Serial No. 10/086,845 under 35 U.S.C. §103.

Petitioner respectfully submits that U.S. Patent No. 6,509,073 B1 does not qualify as prior art under 35 U.S.C. §103 via 35 U.S.C. §102(e) against the invention defined by the present claims in U.S. Patent Application Serial No. 10/086,845 for the reasons that:

A) Petitioner, Solvay Solexis S.p.A., formerly Ausimont

S.p.A., having its place of business at Via Turati, 12, Milan, ITALY, represents that it is the assignee and owner of all rights, title and interests in and to U.S. Patent Application Serial No. 10/086,845, filed March 4, 2002, for MULTILAYERS OF POLYAMIDES AND FLUORINATED COPOLYMERS, by way of an Assignment recorded on March 4, 2002, at Reel 012671, Frame 0950, and to U.S. Patent No. 6,509,073, issued January 21, 2003 (filed as U.S. Patent Application No. 09/528,199 on March 17, 2000)

- B) At the time of invention, U.S. Patent No. 6,509,073 and U.S. Patent Application Serial No. 10/086,845 were commonly owned by, or subject to an obligation of assignment, to Ausimont S.p.A. (now Sovay Solexis S.p.A.)

The undersigned on behalf of Petitioner, Solvay Solexis S.p.A., hereby states and declares that I have the authority to execute this Declaration on behalf of the Petitioner.

Respectfully submitted,

Solvay Solexis S.p.A

By: B. de Laguiche
(Bernard de Laguiche)

Title: Managing Director

Date: April 20, 2004